Western Carolinian.

It is even wise to abstain from laws, which however wise and good in themselves, have the semblance of inequality which find no response in the heart of the citizen, and which will be evaded with little remorse. The wisdom of legislation is especially seen in grafting laws on conscience.

Dr. Channing.

[BY JOHN BEARD. Jr.] SALISBURY, ROWAN COUNTY, N. C.....MONDAY JUNE 17, 1833. [VOL. XIV ...NO. 680.

TERMS

The WESTERN CAROLINIAN is published once a week at two dollars per annum, if paid within three months; or two dollars and fifty cents, if paid at any other time within the year. No Paper will be discontinued until all arrearages are paid, unless at the Editor's discretion.—No subscription will be received for a less time than one year.

A failure to notify the Editor of a wish to discontinue, one month before the expiration of a year, will be considered as a new engagement.

Any person procuring six solvent subscribers to the Carolinian, shall have a seventh paper gratis.—Advertising at the usual rates.

All letters addressed to the Editor must be post paid or they will not be attended to.

☞ These terms will be strictly adhered to.

ADDRESS.

ON AMENDING THE STATE CONSTITUTION.

"The People have a right to assemble together, to consult for the common good, to *instruct their representatives and to apply to the Legislature for redress of grievances.*"

[18§ Bill of rights of N. Carolina.]

TO THE FREEMEN OF N. CAROLINA.

Happily we live in a country where no apology is required for addressing a free people upon subjects connected with their own government. It is an office which any one may assume without just reproach or fair censure. A recurrence to the proceedings of a meeting held in Raleigh during last winter will exempt us from the imputation of vanity in addressing you, and explain the character in which we appear before you. A large portion, we believe a majority of the People of N. Carolina are dissatisfied with the *Constitution of the State.* They complain, we believe with justice, against evils proceeding from causes which the people alone can remedy, and therefore they have through their representatives, determined to call for an expression of the public will upon their complaints. By the 18th section of the "Bill of Rights" the right of the people to *instruct their representatives* is distinctly declared, and the friends of a reform [illegible] that a voluntary declaration of opinion by the People "*for or against a change of the Constitution*" will be received as *instructions* and must influence the General Assembly to accommodate in some way, the unhappy divisions of the State, and provide a remedy for the evils of a most unequal and expensive government. In order to remove the objections of some, to defeat the pretence of many, and operate as a recommendation to all, the advocates for Reform have put forth for discussion the changes which are demanded. If the subject could claim that attention which its importance merits and no feelings of party animosity were mingled with its consideration there would be no difference of opinion.

UNEQUAL REPRESENTATION.

By the present constitution, the People of each *County* elect two members of the House of Commons and one Senator—and seven Borough towns are permitted to send each one member to the General Assembly. Were each county of equal population and did the people of each, contribute alike to the support of government this mode of electing the Assembly would be fair and just. Were there any near approach to equality of population and taxes in the several counties, there would not be so much room for just complaint. Surely a decent respect for the "fundamental principles" of all popular governments will not allow us to argue that *one third* of a community who pay no more than *one third* of the taxes, can rightfully make laws and execute them, impose taxes and expend them, for the other *two thirds.* Yet such is the real condition of this State. Those whom it affects may choose to deny it.—We confidently affirm the fact and challenge them to a fair, manly, and candid investigation of the subject. We may do no more than invite a careful examination of the last *census* and an honest perusal of the Revenue list made out at the Treasury of the State, and ingenuity itself, may be defied after this, to produce even a plausible appearance of equality in our Representation. The white population of the State alone being taken as a basis of calculation, *one third* govern, and tax *two thirds.* Assume the *Land tax* for a basis and it will bring us to the same result. Take for a basis the *public taxes of all kinds* and the conclusion is not more favorable to our present system. Let all or any of these be combined and it will stamp upon our county representation the same marks of inequality and injustice. The whole white population of the State is about 472,000. Thirty-three Counties contain 156,000 and the other thirty-one Counties contain 316,000, and yet these thirty three Counties elect a majority of the General Assembly. These thirty three Counties pay annually a land tax of 8000 dollars only, where they exact from the other thirty-one a similar tax of 17,000 dollars! These same thirty-three Counties—this ruling majority pay for taxes of all kinds 24,000 dollars only, and yet they levy taxes from the other thirty-one Counties to the amount of 48,000 dollars annually! The expenses of our State government (including none but such as are necessary) being about 80,000 dollars per year and the State being divided into 64 Counties, the proportion of each county in this expenditure is 1250 dollars. These same thirty three Counties—this ruling minority therefore do not contribute their own expenses to the government unless their taxes amount to 41,350 dollars! and how is the fact? They pay no more than 24,000 dollars! and nearly one half of them do not contribute taxes sufficient to pay *their own members of the Assembly!*—What? a majority of *two thirds* of the people taxed by *one third* to pay the minority for exercising this controul? Incredible as it might seem to be—*It is true.* There are 40 counties in the State which do not contain an average population, and more than 40 whose people do not pay taxes equal to their average share of public necessary expenditures while they elect nearly two thirds of the General Assembly!—One of the least counties in this State contains a white population of 2,700—the largest contains 17,600, and while the former pays a tax of 600 dollars, the latter is required to pay 2000 dollars! yet both these are alike represented. Another County with a population of 3,300 and an annual assessment of only 430 dollars, elects the same number of representatives to the General Assembly with a fourth county whose white population is 16,000 and whose taxes are 2,307 dollars annually. And another county with a white population little exceeding 3,000 who pay no more than 300 dollars for taxes, is allowed to send the same weight into our councils with a sixth county whose white population is 13,000 and whose taxes exceed 2000 dollars. Comparing these six counties together what will be the result? *Forty-six thousand six hundred* people who contribute a tax of 6,600 dollars are allowed no larger share in a free government than *nine thousand* members of the same community, who pay a tax of only 1,300 dollars. The smallest number and they who contribute least to the support of our government are invested with all its powers. There are in the State Twelve counties whose people pay a tax of 5,400 collectively—the compensation of the representatives they elect, exceeds this sum more than 2000 dollars! These counties partake equally with others of all the benefits of the government and they elect nearly one *fifth* of the General Assembly, yet they compose but little more than one *tenth* of the population and pay very little exceeding one *thirteenth* of the public expenses! They pay 5000 and cost 15,000 dollars! These things are so. But is it just—Is it equal? Is it republican that they should continue? Must they be endured forever with no better reason for it, than that they are evils which a patient people have already submitted to for many years? Are the maxims of freedom reversed and shall usurpation establish right!—long usage justify oppression?

The interest of the whole State REQUIRES and her necessities DEMAND REFORM in our Legislature.

The General Assembly is bound by our present constitution to meet *annually.* When the Constitution was ratified the State was divided into 36 counties and the General Assembly was composed of no more than 115 members, but the number of counties is now increased to 64 and the members of the Assembly to 199. The annual expense of the Assembly alone is now 40,000 dollars and this sum falls very little short of what the whole government of the State once cost the people. By the proposed amendments to the constitution it is suggested that the assembly shall not be required to meet oftener than once in *two years*, and that their number shall be reduced from 199 to 127.

In the early period of our independence, before the States of America had formed their "more perfect Union" before the people had become settled into habits of self-government, the annual meeting of the Legislature was both wise and necessary; but in our day it is a most unnecessary tax upon the publick, and a serious obstacle to wholesome permanent legislation; for the people are barely informed of the acts of one Assembly before the succeeding law makers have repealed or modified them. The reform that is here proposed will diminish the expenses of the State more than 25,000 dollars annually. A clear saving of 25,000 dollars per year is equal to a reduction of the taxes *one third*, and yet some have put their resistance to a reform of the constitution upon the real or pretended apprehension of an increase of the taxes. It is astonishing with what tenacity, men will sometimes adhere to power in opposition to their own interest as well as against the just rights of others. The minority are now striving to maintain it in North Carolina while its exercise is subversive of the rights of two thirds of the people and costs that minority infinitely more than it is worth. Under the influence of some cabalistick party phrase they are deceived into apprehensions that this majority are demanding their rights for the mere purpose of practising oppression on others. But it is impossible that this majority in a State shall oppress the minority of the people by taxation. If *two thirds* impose a burden of one hundred dollars on the minority, it will be a tax on themselves at the same time of two Hundred dollars. And a reform of our constitution must diminish the expenses of the government and of *necessity* reduce the publick burdens of the people.

We wish an intelligent people to mark these facts: that for 25 years, our General Assembly has cost 40,000 Dollars per year. Here is an expenditure of one million, when half the amount. might have been saved!—that for 25 years to come, this expenditure must again be incurred; and yet, a prudent foresight will enable us to diminish it one half; that the Treasurer of the State in his last annual report, states, "that for many years, the ordinary public revenue of the State, has not been adequate to the purpose of defraying the *necessary expense* of the government, but the deficit has varied from 12,000 to 17,000 Dollars per year; that the sources, which have supplied this deficiency, have been fluctuating and temporary in their nature, and of late, are nearly discontinued." What Statesman? what intelligent man will say, that this can be prudently allowed, or safely continued in a State? But it has been allowed, and must be continued, unless the expenses of the Legislature, are decreased, or the taxes of the People increased. We may leave it for you to determine which course is to be preferred. Unless the people shall do the one, their Representatives, must do the other. Policy may induce them, to put this burden on the people, in some disguised form, and to conceal the application of *their* only remedy for the disease that has been hidden for so many years, but that it must be imposed, is inevitable, except by a reform of the Constitution. The *necessary expenses* of a wise government, should be met by her *ordinary revenue.* A people who are properly vigilant of their rights, cannot permit it to be otherwise. Assuming that these "*many years*" "include no more than 25; then what have been the fruits of our thriftly policy? We have consumed over and besides, the whole ordinary revenue, 400,000 Dollars in the necessary expenses of the government. Had we adopted this reform 25 years ago, the funds of our State [illegible] would now, [illegible] Debt if 25 years longer, and the end of that period, will find the State yet more depressed than she is. We are not complaining of extravagant compensation to our public officers; they are faithful workmen, "worthy of their hire." The true evil is that the laborers of the vineyard are too many—the work of the people may be better done, and much more economically performed by 127 laborers, than 199! The responsibilities of Legislatures for this State, are too much divided to be felt properly, and the honor of successful public exertion is unwisely diminished by a partition among 199. Who has not heard complaints, that our laws are fluctuating, that our General Assembly sets too long, and our public expenses are increased? These evils exist, and have been falsely attributed to a want of virtue in the people of the present generation, and a defect of talent among those who serve them. We have no hesitation, in saying that they will be removed by diminishing the number of representatives, establishing a fair basis of equal representation, and making the Assemblies less frequent.

In the 22d Article of our Constitution, there is an odious Restriction upon Conscience.

By excluding from public trust, all persons who deny the *protestant faith.* We are protestants, and therefore we can have no personal interest in the abrogation of this restriction. But will it be expected of us at this day to offer arguments in favor of *religious toleration!* we hope and believe not.

It is a disgrace to any free people, to tyranize over the consciencies of others. It is a gross oppression, and an undeserved imputation against the patriotism and public virtues of the Catholicks of North Carolina, to preserve any longer, this badge of our father's prejudices. The article itself, is in conflict with our Bill of rights, when it declares "That all men, have a natural and unalienable right, to worship Almighty God, according to the dictates of their own consciences."

The friends of reform, have also proposed an amendment to the Constitution, which will put the election of GOVERNOR, into the hands of the People.

The Executive chair of this State, ought to be the highest post, that the people can offer to the most patriotic of her citizens! It is not so esteemed? But make the station independent, by putting the election with the people, and we shall have done much towards it. Custom has now made it a reproach to the Governor, not to be re-elected after his first appointment, and hence, the high independence which properly belongs to a co ordinate branch of our government, is sacrificed to a desire for popularity amoug the members of the Assembly. We do not affirm that it is always so, but it has that tendency; for he must be more or less than a patriot, who is not afraid to incur public disgrace. Is the office of Governor, oftener coveted for its own honor's sake or as a stepping stone to other stations of preferment, in the gift of the Legislature? Does it comport with the dignity of the office, that the incumbent shall be forced to win it by personal electioneering, among the members of Assembly? Our fathers have wisely thought, that the "executive and legislative departments of the government, should be kept separate and distinct," and what evil can arise, from not observing this fundamental principle, that has not been felt in our own State? Moreover, the time of the Legislature is unnecessarily consumed, in canvassing for the office, and the harmony of our councils is disturbed by the frequency of this contest. *And why may not the People elect their own Governor?* He is *their* servant, and should be *directly* accountable to them for the faithful execution of his trust. They have not clothed him with patronage, that he can use to corrupt their elections—they have not invested him with power, the independent discharge of which can be, in any way, incompatible, with their right to pass upon his course.

In obedience to the real, or supposed wishes of the people, they have been allowed to assume the right of electing their Sheriffs and Clerks, and why should they be refused the power to elect their Gover? No good reason can be assigned for it.

It is further proposed, TO ABOLISH BOROUGH REPRESENTATION.

This privilege is no blessing, but rather a curse to the towns which possess it, or to most of them. It is a public burden, from which the people derive no corresponding benefit. And it is grossly unjust that a hundred people, because of the mere circumstance, that they reside within the bounds of a *village*, should be permitted to send a Representative to the Assembly, who may out vote the organ of *thousands* residing in the country. *Commercial* cities may have a population, that would, when taken in connexion residing with their peculiar interest, justify this exclusive [illegible] But in some of the Borough towns there are not many more than 100 *voters*, and as they enjoy no commerce, they cannot by any claim to [illegible] peculiar rights.

Experience has demonstrated that some [illegible] THE CONSTITU[illegible] be passed out by the Legislature.

All will agree that this should be made certain, and economical, and few will assent from the propriety of so modelling it, that while it does not invite a spirit of *innovation* it may not exclude the hope of *Reform.* Such considerations recommend the amendment that has been proposed, viz. that amendments to the Constitution, shall first be sanctioned by two thirds of both houses of the General Assembly, and subsequently ratified by a majority of the People. Other States have adopted it, and it has been found to be, neither mischievous nor defective.

While few men, FELLOW-CITIZENS can be found who have the temerity to deny, that our representation is unequal, and the legislation of the State extravagant and unwholesome, yet, some will seek a retreat behind the position, that it is impossible to arrive at perfection in any government. This is a position that we do not deny. It is true, of the exertions of human creatures in their lives, as well as their governments, that they cannot attain perfection. But shall this prevent them from coming as near to it as they can? It may very satisfactorily account for the gross inequality in the government, which has arisen from a change of circumstances that it could not be certainly foreseen; it does excuse the infliction of this injury upon the rights of a majority, but it cannot be successfully urged as a reason for its continuance. Is he regarded with approbation by good men, who withholds the acknowledged right of another upon the sophistical subtlety that he cannot do him *perfect* justice, and therefore, he must be excused from attempting to do him *any at all?* Are bad laws to be tolerated without change, upon the pretext, that no system of human laws can be perfect? Are all governments abolished because men cannot frame one without a fault?

But it has been said, that the objections against our present Constitution, are *theoretical* only—that the State labors under no *practical* evils—that the majority suffers no *practical* inconvenience. And is it no practical evil to the State, that her councils are divided by sectional strife?—that by the form of her Constitution, the expenses of the Legislature have *doubled*, and that our expenditures exceed the *ordinary* revenue? Is it no practical evil, that in 25 years, she has expended *one million of Dollars* for her annual assemblies, when a prudent economy, would have saved more than half the sum—and that for all time to come, the same exhausting operation, must be experienced, and yet endured? Is it no practical evil that a majority of the People are disaffected towards the Constitution—that they are complaining, and will continue to oppose a system, which is ruinous to the whole State, and obliges *two thirds* of the people to submit to a taxation imposed on *one third?* Is it no practical evil that those taxes are and must continue to be expended, not for the common good, but mostly in paying the delegates of a minority for exercising this control over the rights and property of a majority? If indeed, these are not *practical* evils, it will be difficult to find them in any free government. They are those evils which have mainly contributed towards keeping us back in developing the internal resources of the State, and shall we put forth no efforts to cure them? They are those evils which have destroyed the harmony of the State, and if not remedied by liberal concessions of power to the just demands of right, must probably, rend the peace of North Carolina. And will not moderate men, in all sections, come forward in a spirit of amity and conciliation, and help to remove them? They are evils similar to those which induced our Sister States to revise and reform their Constitutions, and do we find that we are more happy, more prosperous, more free than they are? Alas! it is, but too melancholy a truth, and but too evident to the senses of us all, that WE ARE NOT.

They are evils which a MAJORITY of the PEOPLE have a RIGHT to REMOVE.

To deny this right is to argue against the very foundation principle of all popular governments. It is retained in the front rank of our own Declaration of *Rights*, and in that of every other State in the Union, that in the concerns of this life all power and sovereignty reside and of right ought to reside in the *People.* They can alter their government when they please, whenever indeed the happiness and prosperity of the larger number imperiously demand a change. Herein they are the sole rulers and sole judges. No limit has been set to their authority but that which the *Almighty* has imposed, that they shall exercise it in *Justice and Equity.* This may be denounced—but it is the doctrine of free American Institutions. It is the doctrine of the Revolution—It is the *Republican doctrine of this country.* Whenever the People shall consent to repudiate it they will cast away the great check they have retained against the usurpation of their rulers. Let us not be misunderstood or misrepresented. Whilst we earnestly maintain this "fundamental principle" we heartily deprecate licentiousness, we would rather invoke a speedy co-operation of all parties in our beloved State to settle the causes of agitation [illegible] necessarily clothe [illegible] agents with "*all power*" for the performance of their business?

The General Assembly, is composed of Representatives, to whom certain powers are delegated by the people, and their limits are prescribed by the written *Constitution*, under which they assemble—this is their power of Attorney, and they are sworn to maintain it. Experience has proved, that this affords a reasonable security to the rights of property and of persons. So the People may convoke any other body of their Delegates, define the boundaries of *their* power, and impose on *them*, the same solemn sanctions for their strict observance of them. The Constitution derives its authority from the *people*, it is expressly declared in that character, "*that all political* power, is vested in, and derived from the people only. They therefore created a limited delegation, when by that charter, they clothed the General Assembly with the power of making laws, unquestionably, the same sovereign power may originate any other body, with any other delegation of power their discretion may suggest, and their wisdom approve. To argue that it must of necessity, be unlimited, is to contend that the sovereign power, itself, is limited, which is absurd, and is to affirm that the General Assembly was not rightfully constituted. The fact that our first and earlier conventions were not usually limited, militates nothing against our position. For let it be remembered, that the people were then, without any organized government, and in electing Delegates to deliberate on the subject, and to devise the best forms, they might not have believed it *expedient* to limit them. The aim they had, was to avoid anarchy, not merely to correct governments, but even if they had desired to instruct their delegates, it was not conveniently practicable, to impose a limit, for the want of a body of representatives, through whose intervention it might be marked out for the sanction of the people. Does any one deny that it comes within the province of a Legislature, to prescribe the means of enabling the people to call a Convention? Upon what principle is this, except that they may, as the people's representatives, make recommendations for the sanction of the people? If they are limited and sanctioned, then by what process *can* it be demonstrated, that if recommendations bestow *unlimited* power, when in their *terms they are specific only*? Say that the Legislature has recommended to the people, a Convention *without limit*, and they refused to sanction it. that immediately after it, they recommend a Convention, with power only, to abolish the 32nd. Article of the Constitution, and this recommendation is confirmed by the people, and a convention accordingly assembled? Can there be a doubt, that the Convention is strictly *limited*, and that they will not—cannot exceed their bounds? Say that those who penned this recommendation, timid and jealous of power, superadded that upon the questions submitted to the Convention, their vote shall be final, but

The general practice of the States has determined that the most ordinary and therefore perhaps the most appropriate remedy for Constitutional evils—(where the existing constitution contains no provision for its amendment) is through the medium of a State CONVENTION, authorized and in its incipient steps regulated by law. Whether this convention shall be *limited* and to what bound, is a mere question of *expediency* for the previous determination of the people. We do not stop to argue with those who feel or affect to feel great fears of a Convention *without limit* to their powers. The friends of reform are not the advocates of revolution or disorder—they are as solicitous to maintain the great *principles* of the old Constitution as any others, they only desire to see a change of our system of Representation which in the lapse of more than 50 years has come in conflict with these *principles* to restore to the people the right of electing their Governor—to diminish the expenses of the Legislature down to that standard of economy which is commended by the practice of our fathers,—to reconcile the Constitution with our declaration of Rights by removing restrictions upon conscience—and to establish a safe plan of future reform. Hence they meet their objections on this point with a distant avowal that no *unlimited convention* is asked. If a *convention* shall be deemed *indispensible* let it be limited to these subjects and the advocates for reform ask no more, let them be even restricted to these specific amendments and the friends of reform will be satisfied and the people will be so likewise.

CONVENTIONS MAY BE LIMITED!

They possess no *inherent* power, they exercise that only which is *delegated*, they are servants of the PEOPLE who only are sovereign, to whom alone all power belongs, who, and who only can confer power at their pleasure and to the extent they may will it. A *Convention* is nothing but an assemblage of delegates elected by the people, and how can it be affirmed that a sovereign may not create a *limited delegation?* Have the whole people less power even than an individual? A man may create a limited [illegible] the Un[illegible]

if they shall attempt to do *more*, then no act of theirs shall be valid and binding without the subsequent ratification of a majority of three fourths of the people, "or even the unanimous assent of the polls," duly taken by a vote at the polls within 20 days after the adjournment of the Convention."—Where, and what is the danger of such a Convention? But we are not left without the light of experience to guide us on this interesting subject.—Since their governments were formed, and the means of conveniently providing a limit were thus furnished, it has not been unusual, with the States to impose it in some form. When the Federal Constitution was proposed to the people of the States for their acceptance, each State called a *limited Convention;* these Conventions had no power to do more than to *accept* or *reject the whole plan, as it was proposed;* unles it was in cases where the Legislatures recommended that they might exercise certain other *limited* powers, and the people ratified it.

New York, whose constitution was like ours silent as to the mode of reforming it, had experienced the same inconveniences from her representation that are now felt in North Carolina, as well as other inconveniences, from doubts entertained on another article of her Constitution. The Legislature recommended and the people approved the calling of a convention in 1801 to remedy these evils, but the convention was *limited* to these powers and duties *only*. When the people of *Virginia* called a convention to revise their constitution, it was *limited* to the duty of framing the amendments they deemed expedient or preparing a new constitution, and submitting their work to be *approved* or *rejected* by *these People at the polls*, so the convention regarded it and so they acted. The constitution of *New Hampshire* provides that a *convention* may be called every seven years to amend it; but the powers of this convention are expressly *limited* by a *proviso* that no alterations shall be valid until they are laid before the people and *ratified by them*. The People of *Georgia* have elected delegates to a convention, which is *limited* to specific duties and is ordered to be organized by administering an oath to the members, that they will not attempt to violate the boundaries prescribed for them. *In our own State* we have had two *limited* conventions since 1776, the one to consider of the Federal Constitution and permanently to locate the Seat of Government—the other to reconsider the Federal Constitution and to give Fayetteville the right of electing a member to the Assembly. But we will not pursue it further. No fair mind will demand further proof that it is consistent with both the theory and practice of our government that the People may *limit a convention* to specific subjects of consideration, and whether they will do so or not is a question of *right* but of *expediency*.

The mode of altering the Constitution that is recommended by the report of a Committee in our last Legislature may be properly adopted. *Why may not the General Assembly submit to the People certain specific amendments for their adoption?* If the Legislature may recommend a Convention to make amendments—or to accept or reject specific amendments, and the people by ratifying such a recommendation can cause the convention to be assembled for the purposes that are designated, it is difficult to conceive why the people may not vote directly upon amendments proposed to them by the Legislature. It is impossible to maintain a contrary position until it can be shown that the People *derived* power and do not *confer* it on *Conventions*—until it can be proved "that the creature is greater than its creator" or that "the servant is above his master." The path of truth is here also pointed out by experience and practice. It is a mistake if we suppose that the *principle* of this recommendation is without precedent. The constitution of *Connecticut* prescribes this very mode of making alterations in that instrument. The State of *Alabama* in effect, though not in words, confirms it by her own charter, whilst the States of *South Carolina, Maryland* and *Delaware* recognize the same right in substance by allowing changes to be made in their Constitution by the votes of two successive legislatures the amendments being published and an election by the *people* having intervened.

Thus it is demonstrated that this plan for amending the Constitution is not liable to any objection on *principle*. Since our Constitution is silent as to the mode of proposing amendments to it, the People are free to adopt any course which is consistent with the principles of a popular government and the practice of the American States. If this mode of reform is proper in itself, there are some views of its *expediency* which give it peculiar claims on our consideration. Much difficulty will be experienced in determining after what manner and upon what basis the People should be represented in a *Convention* called for the reform of an existing constitution, and it is not unworthy of our notice that whilst this would cost nothing, a *Convention* will create some charge upon the Public Treasury. Those who entertain any real fears of a *Convention* ought not to object to this plan, upon the ground of *expediency* as they will be thus shielded against all dangers except "the will of a majority" and even that will be restricted to an *age* or *no*: upon whatever the ruling minority shall consent to put forth for public sanction. The rights of the minority, will be protected against encroachment by the over balancing power they have in the Legislature, that prepares the amendments to be submitted and the rights of a majority are safe *in their own hands* because they will not approve of amendments by which they will be made worse off then they are now. What then are the objections urged against it? Is it said to be novel in practice and principle and far too easy in its execution. We have shown already that it is not novel in principle nor is it without precedent in practice; the experience of 50 years might convince us that it is not so easy of execution; for our Constitution was ratified in 1776 and has not been amended since 1789. Besides, it is proposed to quiet all such fears by the article which prescribes a mode for future amendments. It is said however that the right of the People contended for by this recommendation "is founded on the assumption that all were born with equal political powers" and that it, 'leads to the monstrous conclusion that a majority may impose upon the minority what government they please; that they may abolish the representative republican institutions of this country and rear upon its ruins the most intolerable despotism." But these objections pass a sentence of condemnation upon the *Declaration of Independence* and the principles of the American Revolution; and when we deny this right of the majority of the people to remodel their government, it *leads* to the much more 'monstrous conclusion' that a majority,—that one man may perpetuate the "most intolerable system of tyranny" over the rights of the majority, may usurp all the powers of the government and leave the majority with no rights but to practice the virtues of tame and quiet subjects. The people cannot fail to reprobate a principle of opposition that leads us to such consclusions.—Sovereignty, a power which binds all others, yet is restricted by no other, and bound by no forms, must reside somewhere. In this country it is lodged with a *majority* of the *People*. No objections can be fairly urged against the *time* at which it was proposed to take the vote of the people, for it is in the power of the Assembly to prescribe the most quiet and convenient period of the year.

Fellow Citizens of North Carolina? In the fair exercise of a right that is common to all freemen in a free State, and in the execution of a trust, which was confided to us by a respectable body of the people and their representatives; we have laid before you, the complaints which are made against the Constitution of the State, with the grounds of them, and as far as the limits of an address like this would permit, we have also, considered of those plain and practical remedies, which are sanctioned by the principles of our government, and have been confirmed by the practice of the people in other States. We have endeavored to do this, not only with manly, plainness of speech, but with a strict regard for the feelings and pride of others. We have drawn no sectional lines, none such ought to exist, and we do not mean to be responsible for the consequences of any attempt to create or preserve them. The People of North Carolina, ought to be *one* in feeling, as they are in interest. We put it to the consideration of the people, whether this *justice* of the *minority*, the *right* of a majority, and the *interest* of both?—Whether those who desire reform will not now *demand* it, and whether those who think their demands fair, will not now *concede* it! We sincerely believe, that the speedy settlement of these questions, involves the destinies of the State; that it will restore harmony where there is discord; that it will be the means of developing the internal resources of the State, without any recourse to additional taxation; that it will economize the government, so as to bring its expenses below the regular ordinary revenues, that it will destroy the divisions of *East* and *West*, and *disengage* our Representatives from the strifes of sectional party; that it will stimulate them to higher and more promising exertions, for reviving the hopes and advancing the prosperity and honor of the State.

WM. H. HAYWOOD, JR.
R. M. PEARSON,
R. M. SAUNDERS,
THOMAS DEWS, JR.
COM'T.

June 1st, 1833.

AMENDMENTS

To the Constitution of the State of North Carolina.

ARTICLE I.

So much of the second section of the Constitution, as provides that one member of the Senate shall be chosen from each county; and so much of the third section, as provides that two members of the House of Commons shall be chosen from each county; and so much of the third section and the ordinance passed in the year 1789, as provide for the election of borough members, is hereby made void and of no effect.

ARTICLE II.

The General Assembly shall at its next session and every ten years thereafter, lay off the State into forty districts in the manner following—every county, the white population and taxation of which added together, is equal to the fortieth part of the white population and taxation of the State added together; wand every county, the white population or taxation of which separately is equal to the fortieth part of the white population or taxation of the State separately, shall form one district; and the other districts shall be so formed, that the white population and taxation of the State, added together; or that the white population or taxation of such districts separately, may be equal, as near as may be to the fortieth part of the white population or taxation of the State separately,—and each of such districts, shall be entitled to one member in the Senate, and to two members in the House of Commons, but in case any such districts shall contain more than one county, then each of such counties shall be entitled to one member in the House of Commons.

ARTICLE III.

So much of the constitution as entitles free persons of colour to vote for members of the Senate, and of the House of Commons, is hereby made void and of no effect.

ARTICLE IV.

All officers, except the governor, who are under the Constitution, elected by the Legislature annually or tri-annually, shall hereafter be elected biennially, and the Legislature shall meet biennially; but the Governor may call extra sessions in the interim, if the interest of the State shall require it.

ARTICLE V.

So much of the fifteenth section of the constitution, as provides that the Governor shall be elected annually by joint ballot of both Houses of the Legislature is hereby made void and of no effect, and hereafter the Governor shall be elected for the term of two years by the free white citizens of the State who are qualified to vote for members of the House of Commons, but no person shall be eligible to the Office of Governor for more than two terms in succession.

ARTICLE VI.

The fourteenth section of the Constitution is hereby made void and of no effect, and hereafter the Legislature shall fix upon the manner in which the general and field officers of the Militia and officers of the regular Army shall be appointed.

ARTICLE VII.

So much of the thirty second of the constitution as provides that no person who shall deny the truth of the Protestant religion, shall be capable of holding any office or place of trust or profit in the civil department within this State, is hereby made void and of no effect.

ARTICLE VIII.

No part of the Constitution shall hereafter be amended but in the manner following: Any amendment may be proposed in the Senate or House of Commons; and if such rmendment be agreed to by two-thirds of each House, it shall be entered on their Journals, and be published for three months previous to the election of members of the General Assembly; and if such amendment shall be agreed to by two-thirds of each House of the next General Assembly, then it shall be the duty of the General Assembly to submit such proposed amendment to the people, and if a majority of the free white citizens qualified to vote for members of the House of Commons shall vote for such amendment; then such amendment shall become a part of the Constitution.

ARTICLE IX.

The foregoing articles shall form a part of the Constitution, and shall be in full effect and validity.

[FROM THE RALEIGH REGISTER.]

ON OUR STATE CONSTITUTION

NO I.

"All political power is [illegible] and derived from the people alone, and [illegible] RIGHTS—

To the Editors:

No subject can be more interesting to the people of this State than that to which you refer in your paper of the 30th ult. I am rejoiced to find that you think it demands consideration. I always knew you thought "that it laid the foundation of all our Institutions political and civil" that the will of the majority must govern a State. And I should have been grieved if the old Republican Register of the State had been induced to question this great right of the people. The friends of *Reform in our Constitution* have now begun at the right end, and if the People want to change the State Constitution, for one I say it ought to be done. I believe a majority do will it, and as one of that, I hope you will give me a spare place in your paper to "*register*" my reasons. Though they may be plainly written, I persuade myself they are too good to stand in need of meretricious ornaments to give them consideration among honest people. They are too many to bring into one essay, and I will therefore send them to you in a series.

The people of North Carolina who are counted against this measure of reform, are not informed of the injustice that is inflicted on the *majority*—they do not know how ruinous to the whole State our present system is. I say it with all proper respect for them and for their representatives, but it is true. No man can deny that the people are ignorant of this great subject. The press has been too silent for years. Those Editors who have been opposed to a change in the Constitution have not ventured to debate the matter. The people want light, and all whose leisure will permit, and whose opportunities enable them to furnish it, are bound to give it. A temperate discussion of public measures no man can fairly censure, and in our country it never fails to give success to the cause of *Truth* and *Justice*.—Moreover, it prevents that which is alone dangerous in a free State, a stubborn refusal to do right to a majority until men indulge no hope of redress from the well regulated good sense and judgement of others, and resort to their own *passions* for counsel in their course. Does any feel a perfect confidence in the capacity of the people for self government, and yet halt are idle fears in trusting men with their own affairs? His fears belie his professions—if his fears are sincere; his confidence is pretended. Are the people of every State in the Union fit to be trusted with their own Government, excepting North Carolina? Were the *old Constitutions* of the other States of the Confederacy all imperfect, and yet that of North Carolina too pure to be trusted "for whom" it was made—too sacred to be touched by the sacrilegious hand of a free people, and too perfect to require at this day such reformation as shall make it consistent with the plainest equity? Perhaps a little insight into its history and the act of our fathers, may remove these scruples, and elevate our devotion above the instrument itself to the great principles of liberty it has inculcated.

Acout 1774, the Governor of this colony, alarmed by the spirit of independence which manifested itself among the *whigs*, left his palace, and sought a retreat in a British man of war then anchored on our coast. He took care before his flight to dissolve the Colonial Assembly, and the People not yet separated from the mother country, still fast bound in union with her—still attached to the British Constitution, found themselves without a *legitimate* body of *representatives*. It would have been idle to elect another *Assembly*—for the same power which dissolved the former, had the right to "nullify" their successor. Wherefore, the *Freeholders*, at public gatherings in the various counties, elected *Deputies*, (each *county* choosing as many as it pleased,) and these deputies assemble at Newbern, and call themselves a "*Congress of Deputies*.' Under this new name, they defied the power of the Governor, and after declaring the measures of the British Government, oppressive and intolerable, and yet professing an ardent attachment to the *king*, that body adjourned. Their duties had been discharged, and they returned to their homes. In 1775, the cause of America gained new interest,—the *arms of the British nation* were turned against the colonies—North Carolina received no new Governor from the King—and the old one was still afraid to trust his precious person among such a free people. He was assured that there was danger; but he could not confide in this assurance, and continued only *in reach* of his colony, and spent his time and his master's money in purchasing and disseminating *Tory pamphlets*. The *freeholders* again elected Deputies from the several *counties* to legislate for them—each one sent *three*—probably in compliance with their habits under the colonial government in electing the Assembly, and sundry Boroughs who had sent delegates to the British Assembly, elected each one member to Congress. This "*Congress*" assembled also, finding the cloud of war was thick and ready to burst on the Colonies, they firmly met the necessity—they distributed *whig* papers to counteract the Governor's machinations—they proudly refused to accept any communications he sent, but ordered them to be burned, and no vestige of them is left, nor any evidence beyond the solemn declaration of the Congress that they were scandalous and libellous in their terms towards the people of this Colony. And this Congress adopted and organized a *temporary system of Government for the Colony of North Carolina*. Among other things it was resolved, that the *Freeholders*, and Land holders, (who were not *mere tenants*, but possessed of improved grounds and had families,) should *annually* elect *three Deputies* from each *county*, and the towns therefore entitled to elect Delegates to the Assembly, might elect one delegate to Congress, and they should meet in the same year as a *Congress*, and act for the *people*—that this Congress might elect a committee of Safety composed of two members of their own body from each district—that there should be also, *District Committees*, and *County Committees*, &c. &c. (and the Congress sat long and did much towards the ultimate success of INDEPENDENCE in this country—which, however, belongs not to my present Essay.) Congress assembled in 1776, early in the year, and adjourned before *July* 4th: Before their adjournment, they changed the "plan of civil government" in many particulars, which are not material to be stated here, further than they abolished the *Committee of Safety*, and after defining its powers, and requiring that their session should be from Congress to Congress, they established a '*Council of Safety*' composed of thirteen—clothed them with powers in the recess, except that they should not *abolish*, *alter* or *change* any act, ordinance or resolve of the Congress,—and should not draw for money beyond a specified sum. This '*Council of Safety*' being in session in 1776, and having received intelligence that Independence was declared, they did resolve that notice should be given to the *Freeholders and Landholders, and heads of families in the counties*, that they had better elect five Delegates in each county at the *regular election*, and the towns, one, for it "would be *incumbent on the next Congress to frame a Constitution for the now independent State of North Carolina*." Whether this was acted upon throughout the State, cannot be certainly known, but it is a fair presumption it was not, for in that day much difficulty would arise in disseminating such a notice, and certainly very little time was allowed the people.—The Congress of 1776 met, assumed the new name of "*Convention*," and framed and ESTABLISHED the present Constitution.

This sirs, is a short, but true history of the origin of that instrument. The right of the Convention to *frame* the Constitution and *recommend it* to the people for their ratification, I do not question. All legislative bodies (have according to the theory and practice of popular governments) a right to recommend to the people a change of their plans of government, unless the Constitution has *expressly forbidden it: or has substituted some other mode of reform in the Constitution itself*. The fact is beyond doubt, that our Constitution never was *ratified* by any vote of the people. Here then the question arises—Did the *people* even authorize the Convention of 1776 to do this act for them? The preceeding Congress did not, by *ordinance* confer this power, or recommend that it should be vested in their successors. Did the *Resolve* of the Concil of Safety confer that power?

In its *terms* there is none such. It only declares that it will be '*incumbent* on the next Congress to *frame* a constitution.'—The people did not confer this power.—This is clear from two views of the subject: 1st, to *frame* a constitution and to *establish* it, are two distinct things—a legislative body may *frame* a plan of Government—the people only can *establish it*

2ndly, admitting that to frame a plan of government is to establish and settle it, without further interference by the people in what manner does it appear that they mean to confer on that Congress any power of the kind? *Mark ye!* By the then existing plan of Government, the regular annual election would come on in October, 1776, and in *August* preceeding, this Resolve of the Council of Safety was passed. Now by the election of Delegates, the people manifested no free assent to this resolve, and it was not praticable to make *dissent* effectual. How would they set about it? A refusal to vote would not have availed them, because ten votes in a County would make an election, and *open resistance* would have destroyed the cause of freedom and indepedence.—The *leaders* of the people offered only a choice to them between *anarchy* and *this Constitution*, and the friends of liberty had no difficulty in making the selection. The 'Council of Safety' were then, what our Governor is now, and if his excellency should make proclamation to the people that it would be incumbent on the next General Assembly to make a new Constitution, and recommend to them to elect 5 instead of 3 Members from each county,' will any affirm that an election of Members to this Assembly would of itself, be conferring any power to do what the Governor had proclaimed? Must the people refuse to elect any Members, and put a stop to their present plan of Civil government on the one hand, or be taken to have assented to this grant of power on the other? I admit that long *acquiescence* is to be *regarded* now as simplied assent; but when we are told that instrument is so sacred and inviolable, it is but just to 'look truth in the face.' Don't misunderstand me. Our fathers were placed in peculiar difficulties—they acted the part of Patriots, and the necessity of the times obliged them to act in some degree upon the maxim '*salus populi suprema est lex*.' The reasons which controled them is obvious enough, and their motives I do not assail. I propose to speak of these in my next. They did not submit the Constitution to the People. The people did not frame it—it was framed '*for them*.'—They did not *establish* it—it was '*established for them*,' and at a time when resistance to it would have brought them to *anarchy*, and however objectionable it might be, the *Constitution* was preferable. I pledge you my word, that all the facts I have are true, unless I have fallen into error *unwillingly*—if so, let those correct me who know better, and I will cheerfully submit to it. But my *facts* are well attested history, the deductions from them will go before intelligent men.

May 4. SENEX.

Extract from the Hon. Mr. Coulter's speech, delivered before his constituents at the celebration of Jefferson's birth day, in Blairsville, Pennsylvania, on the 13th of April last:

* * * *

The notion of protection, as distinct from revenue, in my opinion, never entered into the conceptions of the framers of the Constitution; and would not have been endured by the people, who were then fresh from the contests of liberty. Why should the industry of one class of men, claim or need protection, by law, more than that of their neighbors? They are equal by the Constitution, and by the principles of nature, and the law which makes a distinction, and confers a privilege upon any one class, is unjust, and against the first principles of a free government. In reducing the duties to the revenue standard, or the wants of the government, it appeared to me that no injustice was done to any class or section of the community; and that, by doing so, the discontents of the country would be appeased. Government was instituted for the benefit of all the people, and it appeared just and proper to attend to the wants, complaints, and oppressions of all.

The people of South Carolina are singled out as an exception in the minds of many—they are my countrymen and yours—bound to me by the recollection of the fields of Camden and the Eutaw Springs—by many a gallant fight and name, in the camp of liberty, and my country and yours. I wish to allay even their discontents, not by the blood of my own countrymen, spilled out on its soil, but by the nobler sacrifice of justice and conciliation. The modification of the tariff laws received the assent of the whole south—was accepted as a peace offering, to restore tranquility to the country. When, therefore, the cup of concord was in our hands—when we were burnishing anew the links of the Union, I did not wish to present the bayonet to southern bosoms and say, this cup of peace and union, which you now accept, restores harmony, tranquility, and peace—makes us countrymen, indeed—brethren in affection and principle, but because you dared to throw up your caps and talk of liberty, this bayonet is presented to show that we are your masters. I wished to make no idle parade of the terrors of the Constitution; but to unfold its power of union and peace by means of mutual reason, forbearance, and justice, and thus win for it the affections of the people—its surest guaranty and support.

I, therefore, voted against the enforcement bill. It was altogether unnecessary. The settlement of the tariff question had more effectually allayed all opposition than a hundred thousand bayonets could have done. Its passage could only irritate the south, without doing any good to the north. Instead of strengthening, it only weakened the administration.

We have this day assembled to do honor to a man, whose memory is adorned with that noble glory which accompanies the names of illustrious men, who, by securing happiness and peace to their fellow beings, have erected the most durable monument to their own fame. His name has been vouched as authority for this law. I wish to secure it from that reproach.

In the close of the year 1808 the embargo law had been violated in the eastern States, by armed men, without color of legal process. A ship would be loaded and equipped for sea, and when she was stopped by the custom house officers, unless her owners would give bond, that she would not go to any other part except one belonging to the United States, a lawless armed force rescued her, and she sailed where she pleased. To remedy this forcible suppression of the law, Congress, early in July, 1809, passed an act, supplementary to the embargo, authorising the President to employ the militia and the land and naval force, to assist the custom house officers in detaining vessels, until they complied with the embargo laws. As soon as this law was passed, the Legislature of Massachusetts resolved that it was unconstitutional, and not obligatory within her limits; and, transmitting a memorial to Congress on the subject, she informed them that, if the law was not repealed, she would be compelled to resist it by force. Mr. Jefferson, rather than bring the United States into conflict with a State, recommended the repeal, not only of this law, but of the embargo itself; and the very same Congress, in six weeks, (the law was passed about the middle of January and repealed about the middle of March,) repealed the same law which they had passed, for no other reason than that one of the sovereign States of the Confederacy had declared that she would resist it by force. I leave it to your candor and sense to say whether this is not a precedent directly against the law of last session, and whether it does not array the whole of Mr. Jefferson's authority, and that of the Congress of 1809, against the measure.

The Constitution of the United States, and the acts of Congress made *in pursuance* thereof, are the supreme law of the land, and the *Judges*, in every State, are bound thereby. Of this there can be no dispute. But the laws must be expounded and enforced, in the mode which the Constitution authorizes. One of the great defects of the old confederation was, that there existed no power in the General Government to operate upon individuals, in the States; and, therefore, when a State did not choose to obey, and enforce an act of Congress, it remained a dead letter, unless Congress resorted to military coercion upon the State. By the present Constitution, the United States' Government is enabled to operate upon individuals of the States, and enforce its laws upon them, through the judiciary of the United States and the civil magistracy. But, between the United States and a State, the matter rests precisely where it did under the articles of confederation. The Constitution makes no umpire. The Supreme Court expressly disclaims jurisdiction of political questions. They must therefore be settled, either by the law of force, which would be war in fact and form, or by the law of compromise and mutual conciliation. In a contest of force the citizen of the recusant State could not be punished for treason, because the State had the faculty of sovereignty to compel his obedience, and because, by the Constitution of the United States, every person must be tried for an offence in the State where it was committed.

I do not belong to the school of sophists. I would not involve my country in a civil war to maintain a theory, whether of the high church, or the low church, in politics. I admire practical republicanism. We all admit, however, that the States have certain reserved rights, with which Congress cannot, or ought not to interfere. The State Legislatures, in passing laws for the benefit of their respective States, all proceed upon the rights reserved to the States; and the people of the States, when they assemble in convention to alter or amend their constitutions, proceed upon the rights reserved to the States. But if the doctrine of Mr. Webster, in supporting the enforcing bill, is correct—that Congress is the sole judge of the reserved rights of the States, except in controversies which assume a judicial character—then the State Legislature proceed under favor, and subject to the discretion of Congress, and the people of the States themselves cannot form a State constitution, without its being subject to the supervision of Congress. As a citizen of the State of Pennsylvania, I do not admire the motion of a member of Congress from Passamoquoddy, or the bay of Sera, regulating my municipal rights, and controlling the distribution of what little property I have. They are not my representatives for that purpose. But, gentlemen, it was on such assumptions as these, that the enforcing bill was predicated. I have not time, indeed I have little inclination to examine its features: I never looked upon it but with abhorrence.

The first section, instead of providing means for the execution of the revenue laws, does effectually, and in terms, entirely suspend them in any collection district, which the President may choose to designate and substitutes in their stead a new rule, which consists wholly of the will, the *sic volo*, of the collector of the port, sole judge, umpire, and autocrat, backed by the military and naval power of the country, as his orators and executors.

The third section provides that any person, who, under the *color* of the revenue laws, shall commit any offence, murder not excepted, shall not be tried in the State courts, but in the United States court, for an offence, I suppose, against the United States. The United States' courts have no common law power; they, therefore, cannot punish under the principles of the common law. There is no act of Congress defining the crime, or declaring the punishment of murder. This provision of the

law is no other than a general pardon for all offences committed under *color* of its enactments. These, however are only the small vices of the law. I will only allude to that feature of it which authorises the military of the United States, to shoot down and murder unoffending citizens, on their own native soil, for obedience to their own native laws, and this at the command and discretion of some deputy collector of customs!

Gentlemen, I believe the law of 1795 to be amply adequate to the exigency of the times, with merely some judicial provisions relating to the removal of causes from the State to the United States' courts, and an extension of the writ of habeas corpus. I was thoroughly convinced, too, that *that* law, which the wisdom of our fathers had left us, was founded on the right principle, that the militia should come in aid, and to support and sustain the civil magistracy, in the execution of the known and declared laws of the land. I could not in my conscience, and therefore did not, vote for the enforcement bill. It seems to me that the application of military force against one of the sovereign members of the Union, can only be justified, as the last melancholy effort, for the maintenance of the Union, after all other means have been tried and exhausted. Take, for instance, the State of South Carolina, covered with popular odium as she is. Suppose her to be conquered and subdued, as she probably would be, in a contest with the Union. Her fields desolated, her towns in ruins, her women in mourning, and the land filled with new covered graves of her sons. Let us imagine an assemblage of the twenty four sisters, and that she, one of the old thirteen, should appear with her hair dishevelled, and her garments torn by mercenary soldiers—the blood of her children upon her cheek and upon her hands, and the tear of subdued suffering in her eye. Think you, that she could be an equal and an associate for the others in their pride? No, the tie of union and affection would be destroyed for ever.

"For never can true reconcilement grow
Where wounds of deadly hate have pierced so deep."

She might be a conquered province, but never a conquered State.

The Cherokee Council.—The Western Herald, received last evening, says that the Cherokee Council convened to consider the proposition of the General Government, to give them the enormous amount of, we believe, three millions of dollars, or upwards, for their lands, "dispersed without agreeing to the proposition so liberal on the part of the Government, and which should have been by all means so very desirable to them." This looks ominous devil. *Augusta Chronicle.*

The Philadelphia Commercial Herald of Friday, furnishes the following acceptable information:

"*Black Hawk.*—We are extremely happy in being able to announce, that the President does not mean to retain BLACK HAWK a prisoner. The true policy has been hit upon in regard to this ill fated chief. He is to be sent through our cities, to see the number and power of our people, that he may go home and counsel his young men against taking up the hatchet in future, where there is no sort of hope of accomplishing any thing by it, but their own destruction."

The Globe of Saturday last contains the following on the same subject:

The Sac and Fox Hostages.—We understand, that a report having been received from Gen. CLARK, the Superintendent of Indian Affairs at St. Louis, in which he expresses the opinion, that the Sac prisoners may be restored to their friends without affecting the interests or safety of our citizens, and that their release would be peculiarly gratifying to the friendly Chiefs; and Ke o-kuk and his associates themselves having solicited their discharge from confinement, and pledged themselves for their good conduct, preparations have been made for their return to their homes.

We learn, that they will be conducted through the principal cities, with a view to exhibit to them the extent of the population of the country, its wealth, resources, and means of defence, and to impress them with a conviction of its strength and power, which will be productive of lasting good consequences. They will probably leave Fortress Monroe early in the next week, proceed as far East as Boston, hence to Albany, Buffalo, and Detroit. Their subsequent route will then be determined by the officer having them in charge.

Aid in Business.—Whatever may be a man's calling in life, a NEWSPAPER aids his business. If he is a farmer, he will see improvements in ploughing, manuring, and cultivating his ground—the best animals—the best seeds—succession of crops—improved machines.—The advertisements will also shew him where he can best buy and sell. Mechanics will see improved machinery.—Merchants will see articles for sale—some things wanted and others offered. A milk man not long since, lost a bargain at an auction, which would have paid for his Paper ten years, merely by not taking the paper in which the auction was advertised. He came and subscribed for the paper and declared he would take it as long as lived.

Safe Guessing.—A real Yankee, who never intended to err in *guessing*, being inquired of by his neighbor as he was passing a farm yard, how much a certain ox would weigh, that stood near, answered. 'Well, I don't know entirely, I guess he'll weigh 13 14, 15, 16, 17, 18 hundred, somewhere along there, no great difference from that any way.'

Before the advent of the Messiah, there were numerous prophecies in existence in which the birth, character and death of this wonderful personage were minutely described; and no doubt the pious Jew recognised in them one evidence of the divine authority of the books in which they were contained; but how much more of the character of demonstration does the argument assume, since Jesus has actually come, bearing the very character, performing the very works, and dying the very death which these writings have attributed to him! The destruction of Jerusalem by the Romans had been predicted long before the event, and even he who spake as man never spake, had repeatedly and solemnly fortold it; but up to the time when these prophecies were fulfilled, although they might have been believed by the followers of Jesus, they could never have been successfully appealed to as furnishing evidence that he had come from God. When that fearful event had actually occurred, and occurred too in most striking correspondence with the whole tenor of prophecy respecting it, there was at once a sensible addition to the proof, that Jesus was neither an impostor nor an enthusiast. In like manner, events have been occurring in later years, in which the diligent student of prophecy will recognise a fulfilment of ancient prediction; and as the plan of Providence continues gradually to unfold, the admirable harmony that will be found to exist between the course of events in the future, and the prophetical representations of the past, will render this argument for the truth of the Gospel more and more conclusive to the end of time.

The same general remark holds true of the argument from the continued existence of Christianity, and of the writings with which it is identified. Immediately after the canon of Scripture was completed, (we refer particularly to the books of the New Testament,) it might have been, and actually was, predicted, that this new religion and the record of it, instead of being imperishable, would soon pass into obscurity, and at no distant period, be blotted out of existence. And though such predictions on the part of the enemies of Christianity did not at all weaken the confidence of its friends, yet it is obvious that the only reasoning with which they could have been met, at that period, must have been founded upon probabilities rather than upon facts. But now many ages have passed away, and some of them have been ages of darkness and blood,—and yet the Bible, and the religion of the Bible. not only still have a being, but are going forth triumphantly on the four winds to bless and renovate the world. When Christianity was first introduced, though its influence was in the highest degree benign, yet its empire was extremely limited: there was only a fittle spot on the whole face of the earth, which it could actually call its own. Now it can fairly appropriate to itself a large portion of the world: there is not a continent, we had almost said, not a country, nor even an island upon which some rays of its glory have not fallen, and there is every thing in the present aspect of events, to indicate that its dominion will ere long become universal.

CRIMINAL TRIALS.

We adopt for our own the following article from the *Baltimore Gaz.*

"Our Northern exchange papers are now filled with the reports of the evidence given on the trial of the Rev. Mr. Avery; the greater part of which is hardly fit to be recorded in a paper which is read in families. The Philadelphia journals contain the report of the trial of Clough, the murderer of Mrs. Hamilton. The witnesses apppear to have been examined chiefly to gratify the curiosity of the public, and are made to enter into details which have no bearing whatever upon the guilt or innocence of the prisoner. For instance, one of them testifies that Mrs. Hamilton had "traded" one watch for another in Philadelphia, that the mother of Mrs. A. told Clough, after the murder, that she "supposed his neck would pay for it." Mr. Clough seems to be cosidered as a sort of Othello.

"It is stated, in the reports of both these trials, that the audiences were occassionally convulsed with laughter at some ludicrous incident—such as the breaking down of a bench. Both prisoners are described as being dressed in deep black—pale, romantic, and sentimental. Mr. Clough, is favored with the presence of a great many female spectators—ladies moving in the highest circles."

We are glad to be able to annex hereto, an account of the final result of the trial of the Rev. Mr. Avery, for murder, of which crime he was found guiltless:

PROVIDENCE, June 3.

This trial, which has occupied the attention of the Supreme Court for the last four weeks, was submitted to the Jury on Saturday evening at half past 7 o'clock. It was closed for the prisoner by the Hon. Jeremiah Mason of Boston and for the State by the Hon. Albert C. Greene, Attorney General.

At the conclusion of the argument, the Chief Justice charged the Jury on the Law of the case, without adverting to the testimony at all. He declined going into the evidence, it being, as he said, the province of the jury to judge of the facts from their own recollection of the testimony. The facts they would determine from the testimony of the witnesses as they understood it. He remarked, that it too often happened, where Judges in capital cases charged the Jury on the facts, that the verdicts of the Juries were but echoes of the opinion of the Judge.

The Jury, after being out sixteen hours, returned into Court at 12 o'clock, yesterday, and pronounced a verdict of NOT GUILTY.

Thus has his case termined, and we cannot but hope the public will be satisfied with the result.—Never was a cause presented to a Jury requiring a longer or more laborious investigation; never has there been one more fairly or fully investigated. In charity, in common humanity, and justice to the Rev. E. K. Avery, the judgment of the community should harmonize with the verdict of the Jury in pronouncing him Not Guilty.

Mr. Avery was discharged by the Court, and we learn he returned in the afternoon to his family in Bristol.

From the Charleston Evening Post.

EDUCATION.

It was the wise policy of the ancient Republics to assimilate their plans of education to the nature and spirit of their political institutions; to train up their youth as citizens rather than as scholars; to inspire their minds with virtuous emulation, and to prepare them to sustain, in after life, the lofty character and the dignity of free men. A government like ours, founded, as it is, on the most enlightened principles of civil freedom; and abstract ideas of human right, can only be preserved by the adoption of a similar policy; by the establishment of a public and patriotic system of Education; by early implanting in the minds of our youth the seeds of public virtue and honorable emulation; and imbuing them with a love of Liberty, and a knowledge of the nature and value of the political institutions under which we live—in themselves valuable, but now soiled by abuse and perverted from the ends they were intended to attain, by a low minded and venal majority of the representatives of these States. The happiness of a people can only be sustained and perpetuated by a sedulous cultivation and steady practice of the republican virtues; by simplicity of manners, & frugality of habits; by a watchful guardianship over their liberties, a firm maintenance of their civil rights, and a dignified and discerning exercise of their elective privileges.—Descended, as we are, from a commercial people, whose Carthagenian spirit & devotion to pursuits of gain, we have but too largely inherited, and whose luxurious habits and aristocratic manners we have copied with a servile and too successful imitation, it is the more essentially necessary and expedient that we should endeavor to correct the faults and prevailing vices of our national character, to invigorate, if possible, the tone of the public mind, and form the rising race, and future generations, to virtue and patriotism, to greatness and glory.

HOW TO TELL BAD NEWS.

Scene—Mr. G's room at Oxford. Enter his father's Steward.

Mr. G. Ha! Jervas, how are you my old boy? How do things go on at home? S. Bad enough your honor, the magpie's dead. Mr. G. Poor Mag! Sudden accident, sir. Mr. G. did he fall? A greedy dog. Why, what did he get he liked so well? S. Horse flesh, sir, he died of eating horse flesh. Mr. G. How came he to get so much horse flesh? S. All your fathers horses, sir. Mr. G. What, are they dead too? S. Aye sir, they died of over work. Mr. G. And why were they over worked, pray? S. To carry water, sir. Mr. G. To carry water? and what were they carrying water for? S. Sure, sir; to put out the fire. Mr. G. Fire, what fire? S. Oh, sir, your father's house is burned down to the ground. Mr. G. My father's house burned down! and how came it set on fire? S. I think it must have been the torches. Mr. G. Torches! what torches? S. At your mother's funeral. Mr. G. My mother dead! S. Ah, poor lady! she never looked up after it. Mr G. After what?—S. The loss of your father. Mr. G. My father gone too? S. Yes, poor gentlemen, he took his bed as soon as he heard of it. Mr. G. Heard of what? S. The bad news, sir, and please your honor. Mr. G. What! more miseries? more bad news? S. Yes sir, your Bank has failed, and you are not worth a shilling in the world. I made bold sir, to come to wait on you to tell you abut it, for I thought you would *like to hear the news.* *Sat. Eev. Post.*

The proposition introduced into the British Parliament, to remove the disabilities under which the Jews now labor in all countries subject to the laws of England, received as it has been, with favor, will most probably be finally agreed to by both Houses of Parliament. A result so honorable to the liberality and good sense of the nation, will be hailed every where as a favorable indication of the spread of the rights of conscience, and the principles of religious liberty. It is particularly proper, as coming from the people of England. Nowhere else have the Jews been more oppressed and burthened—nowhere for a longer time held in subjection. Front de Boeuf's treatment of Isaac is but a single illustration of the tyranny exercised over the descendants of Abraham for a series of years before and after the reign of Richard I. Indeed, the progress of civilization and the extension of knowledge, have scarcely effected any amelioration in the condition of those upon whom it was found *useful*, in the darker ages, to visit the sins of their ancestors at Jerusalem. We may now, however, reasonably indulge the hope that "the end of all things has come," and that this ancient and peculiar people are once more to rank, at least, as equals with other men. The anticipations of some extend even farther than this. It is said that this is to be but the first movement in a grand undertaking, to result in the establishment of a kingdom in Judea, and again to give the Israelites "a name among the nations of the earth." How ardently must this dispersed and despised people pray for this hope to be realized! And who can indulge in the contemplation of such an event, without having his feelings strongly interested in their favor? *Alex. Gazette.*

THE CAROLINIAN.

FIAT JUSTITIA RUAT CORLUM.

SALISBURY:

JUNE 17, 1833.

To the patrons of our paper in North Carolina, no apology is necessary for the space we devote to the subject of a State Convention. The near approach of the election, demands a full and immediate investigation of the origin of our State Constitution, and of the manifold defects which the friends of reform are anxious to correct, or to expunge from that instrument.

Our subscribers out of the State, we trust will not complain of the quantity of matter we now publish of a kind not particularly interesting to them; the State elections, on which it is important now to operate, will soon be over, and we shall then endeavor to make our paper more interesting to *them*, by the introduction of more diverse topics.

CONVENTION.

During the last session of our Legislature the friends of reform held a meeting in Raleigh and appointed a committee to address the people of North Carolina on the subject of amending the Constitution.

The committee have performed the task assigned to them and we this day publish their address. It is needless, we trust, to expatiate on the importance of the subject, or to press upon the people the propriety of acting upon it at this time. The people of Western Carolina have long felt, and complained of, the great inequality of representation under our present Constitution, and, not to speak of the numerous defects in that instrument, the welfare of the State requires that a question which has long agitated our councils and paralyzed our faculties should be brought to an adjustment. We believe that the existing state of feeling is peculiarly propitious to the consummation of an object of such vital interest, and we entertain the most sanguine hope that it will be no longer postponed to narrow views of petty State intrigue.

There is hardly a man in North Carolina of any intelligence and State pride who does not feel the deepest chagrin when reflecting on our almost total destitution of those public institutions, works of art, and monuments of genius and enterprize which have contributed so much to the prosperity and glory of some of our sister States. It is high time to rouse up, to put off our drowsiness, and to assume that elevated rank in the confederacy to which we are invited by many natural advantages, and to which the highest moral incentives should stimulate us to aspire.

SENTIMENTS.

In this paper will be found part of a speech delivered by Mr. Coulter, a member of Congress from Pennsylvania, before a meeting of his constituents on Jefferson's birth day.

We commend this extract to the attentive perusal of our readers, as well for the doctrines it discloses, and maintains, as for the magnanimity and expanded patriotism which it breathes.

When we reflect that he who uttered these sentiments is a member from a State as much as any devoted to the protective system,—a State, one of whose Senators was the father of the very bill which is the subject of Mr. Coulter's eloquent invective, the manliness and independence of that gentleman cannot fail to secure our highest esteem. The fact which he states in relation to President Jefferson's conduct towards Massachusetts when her legislature pronounced a determination to resist the *enforcing act* of that day, although sufficiently notorious, seems to be unheeded by many politicians of the present day. And yet what an important circumstance that is, when considered in connection with the previous conduct of Mr. Jefferson, and with the previous and subsequent conduct of Massachusetts. Just ten short years before, viz. *in* 1798—while *a citizen of Massachusetts* was President, Mr. Jefferson promulgated the doctrine that the States had the right in the last resort, to judge of the Constitutionality of laws enacted by Congress, and also the right to resist such as were thus considered unconstitutional. *Then, Massachusetts protested against the doctrine.* But what do we behold in 1808? An act is passed under the administration of Mr. Jefferson; Massachusetts, feeling present oppression, changes her position, and declares her determination to put in practice, the very doctrine which, under *her own citizens administration*, she had decidedly reprobated! ("It was *your* bull that gored *my* ox" And that was the result? Mr. Coulter tells us, and the history of that period tells us, that, although Massachusetts *changed her grounds*, Mr. Jefferson and his friends *proved true to their principles*, and repealed the offensive embargo law with its adjuncts, notwithstanding their full belief in the constitutionality and expediency of those laws.

But let us pursue the political drama of State rights to its late and last act, and we shall find two of the most distinguished sons of Massachusetts, one native the other adopted, re-denying this right of State interposition; and one of them who had sanctioned it in 1808 and advised Mr. Jefferson to yield to it in the embargo case, bitterly denouncing in 1833 the same doctrine and urging a war against one of the most patriotic States in the Union for daring to act upon the identical principle!! Ought not these circumstances to inspire us with some distrust of our judgment, and to teach us those noble virtues of moderation, forbearance, and charity towards our friends and neighbours?

Instructions have been given to the attorney General of Rhode Island to institute suit against the State of Massachusetts relative to the boundary line between those States.

RAIL ROADS.

A meeting of the citizens of Warren County, was held on the 28th ult., for the purpose of taking into consideration the propriety of extending the Petersburg Railroad to Oxford. A committee was appointed to inquire into the facilities of effecting said improvement, and to report such information to their fellow citizens as will enable them to form correct opinions upon the subject.

The citizens of Wilmington and Raleigh are *talking* of making a rail road between the two places. We hope it will not be "*all talk.*"

The newspapers of the Eastern part of the State, with a commendable liberality are opening their columns to a free discussion of the subject of a Convention.

MOST DEPLORABLE.

The *New Orleans Courier* of the 25th ult. contains the following melancholy account of the destruction by fire of the steamboat *Lioness* on the 19th ult. while on her passage from New-Orleans to Natchitoches, and the consequent loss of lives: *Times.*

LOSS OF THE STEAMER LIONESS.

The steamer Lioness, Capt. Cockerelle, on her passage from this place to Natchitoches, was entirely destroyed by fire on the 19th inst. Several lives were lost, among whom was the Hon. Josiah S. Johnston, U. S. Senator from this State. Hon. E. D. White, a Representative in Congress was badly wounded. The following is the account of the sad disaster, which was furnished to the editor of the Bulletin, by the Clerk, who arrived here this morning in the steamer Huron.

The steamboat Lioness, Wm. L. Cockerelle, master, on her passage from New Orleans to Natchitoches, took fire when about 40 miles above Alexandria on Red River, and was entirely consumed. The lives of 15 or 16 individuals were lost, and as many others were more or less wounded. It occurred about 3 o'clock on the morning of May 19, when but few had left their beirths, which accounts in part for so many deaths.

The names of the unfortunate sufferers, are as follows:

Passengers—dead—Hon. J. S. Johnson, of Louisiana; B. Q. Riggs, Esq. of Alexandria; Michael Boyce, Esq. do; Mr. Michael Clifford, N. Orleans; Mr. H. Hertz, Texas; Mr. —— Irvin, a deck passenger, Mr. —— do.

Crew—dead—John Coley, (mate) Louisville; John Clark, (steward) late from England; Samuel Landis, sailor; Wm. N. S. Cant, do.; James Fulsome, do.; one sailor, unknown; Mary Anderson, (chamber maid). Alexander ——, (2d cook)—and a servant unknown, belonging to a passenger.

Wounded—Hon Edward D. White, of Louisiana, (badly)—Henry Boyce, Esq of Alexandria; Mr. Dunbar, do (badly) J. H. Graham, N. Orleans; Josiah Johnson, son of the Hon. J. S. Johnson; Michael Colgeh, Natchitoches; J. V. Bossier, do; M. Rupete, do

Crew—Mr. Isaac Wright, pilot, slightly; Mr. John Roberts, engineer, John Gilmore, sailor, and 2 other sailors and 1 fireman, names not known.

All others on board escaped without injury—much of the baggage and some money belonging to passengers was lost.

How it originated, is not known, it is supposed however, to have been communicated either by sparks from the furnace being drawn down the hatch, which was open to get out a lot of way freight, or through the hole for the fly wheel of the engine, or else from a spark [illegible] used by the mate and men in the [illegible] which being lodged in a bale of straw or oil, or other material, kindled so rapidly as to defy their exertions to extinguish it, and in attempting which, they lost their lives, not one of them getting out to give the alarm, or afterwards to account for the misfortune.

The boat and cargo went down near the middle of the river, and are entirely lost.

Much credit is due to the inhabitants near the spot, and at Plaisance for their prompt assistance in saving those who were struggling for life in the current, for their kindness and hospitality to the wounded, and for their liberality and friendship to all the strangers thrown destitute among them, and to the crew of the lost boat. T. W. TWICHELL, Clerk

N. Orleans, on board S. B. Huron, May 24.

P. S. The melancholy disaster above, occurred from gun powder, which blew up the boat, from the fire in the hold.

A gentlemen just from Alabama says the Franklin Review, states that the little girl, Caroline Hawkins Bullock, who was recently advertised in many of the public prints as "lost," has been discovered and restored to her distressed and almost heart broken parents. She had been stolen by some abandoned miscreant, who, after blacking and disguising her features so effectually as to prevent detection, had taken her about 25 miles from home and sold her as a negro slave. Can such a tale be true? Then ought the human fiend, the God forsaken recreant to be held up to the scorn, the contempt, and the execration of the whole community! The world is bad enough God knows, but this is a deed of surpassing villainy. The being who could thus vilely trample down the best, the kindest feelings of humanity—that for the pltiful compensation of dollars and cents would thus carry sorrow and affliction of the darkest kind into the very sanctuary of sincere affection and domestic peace—destroying with the burning breath of despair, the pure and hallowed feelings of parental love—is utterly unworthy the title *man*; he deserves only to mate with fiends, and to be destroyed and blasted from the earth, without either pity or remorse.

We are informed, that the worm is committing dreadful havoc among the crops in this vicinity. We understand that many farmers have been compelled to plant entire fields of cotton over again. Our prospects for a cotton crop, have been most gloomy from the commencement of the spring. But they are less favorable now perhaps than at any other period. Indeed it does seem from the representations from different parts of the country, that it will be absolutely impossible to make more than a half crop in this quarter.

We understand it is reported in many part of the country, that the Asiatic Cholera prevails here. The rumor is without foundation. Montgomery is as healthy at this time as any town in the whole country, of the same population. *Montgomery (Ala.) Journal.*

An extraordinary entry was recently made at the London Custom House—forty one chests bullion from China.

This is reversing the stream of commerce, and making it run up hill. China has heretofore always been the drain of bullion and specie from Europe. *Telegraph.*

Hymeneal.

MARRIED in Washington City, on Thursday the 30th ult. by the Rev. Mr. Clark, Mr. Charles B. Ramsay, Editor of the Raleigh Constitutionalist, to Miss Caroline Henry, daughter of Col. Henry Ashton, U. S. Marshall, of the District of Columbia.

DIED,

In the Forks of the Yadkin in this County, on the 8th inst., *Thomas G.* infant son of Mr. Henry R. Austin, aged 15 months and 22 days.

MARKETS.

SALISBURY JUNE 15.

Bacon	8 to 10
Beef	3 to 4
Cotton in seed	5
Do clean	8 to 8½
Corn	30 to 35
Oats	20
Sugar	10 to 12½
Coffee	16 to 18
Salt	$1. a 1,12½
Iron	4 to 5
Molasses	30
Beeswax	16 to 18
Tallow	8 to 10
Flour	$3,75 a 4,00
Brandy	40
Whiskey	30 a 33
Nails	10 to 12
Loaf Sugar	15 to 20
Lead	8 to 10
Pork	$3 75 to 4 00
Wheat	62½
South Carolina money discount	0 to 2½
Georgia	0 to 5

NOTICE.

RUNAWAY from the subscriber on Sunday evening the 14th April last, without any provocation, a bound boy, by the name of NATHAN SMITH, he is between sixteen and seventeen years old. I forwarn all persons from trading with, harbouring, employing, feeding or clothing of said boy, as I shall certainly put the law inforce against any so offending any person who will return said boy to me at my house shall be reasonably paid for so doing.

THOMAS CHAFFIN.

Forks of the Yadkin, Rowan Co. 3 3m28
N. C. near Fulton. June 10 1833

CATAWBA SPRINGS.

William S. Simonton,

RESPECTFULLY informs his friends and the public generally, that this delightful

SUMMER RETREAT,

is now open for the reception of company.

He flatters himself, that having since the last season made considerable improvements in the way of building, and recently purchased of the original importers in the city of New York, all such articles as are necessary for the keeping of a good house, that he will be enabled to render agreeable and comfortable, the stay of all such as may honor him with their company.

He deems it altogether superfluous to say any thing of the mineral qualities of these Springs, as they have proven of the most salutary advantage to all such as have tried them.

All that he will say in conclusion is, that no exertions will be spared to render his accommodations as good as any in the Western part of the State.

Lincoln Co. N. C. May 24, 1833 6m83

NEW BOOK STORE,

CHARLOTTE, N. C.

THE Subscriber respectfully informs his friends and the public, that he has opened a

BOOK STORE

in Charlotte, where it will be his object to keep constantly on hand, at *low prices*, a valuable assortment of such Books as are in general demand in this part of the country. He will endeavor to procure, at an early day, new and interesting publications. He has, also,

Blank Books, Maps, Paper of various qualities, Quills, Inkstands, Pen-knives, Spectacles, Thermometers Pencils, Slates, &c. &c.

He hopes to make his establishment worthy of the patronage of an enlightened community.

DANIEL GOULD.

Charlotte, June 3 1833. 6t83

FEMALE SCHOOL

In Statesville.

THE SUMMER SESSION will commence on the first Monday in July.—Terms as formerly.

M. A. CALDWELL
Principal.

Statesville, Iredell Co N. C. 3t80 *May 24th* 1833.

NOTICE.

I AM anxious to close my business in the County of Rowan, and a duty I owe to my DEBTORS induces me to give this PUBLIC NOTICE, that all notes, accounts, and demands whatsoever must be settled forthwith, or, I shall be under the disagreeable necessity of putting them in a course of collection where COSTS will be incurred.

I will attend at Mocksville every law day for the purpose of effecting this object.

ROBERT HARGRAVE.

May 24th, 1833. 7tf

NOTICE.

THE Certificate for three shares of the Capital or Join Stock of the State Bank of North Carolina, issued in the name of Francis Locke, (late of Rowan County N. C.) dec'd, being lost or mislaid,

NOTICE

is hereby given to all persons concerned, that I shall apply to the President of said Bank, either in person or by agent to issue a duplicate thereof. 13 91.

JOHN SCOTT, *Ex'r.*

Salisbury, May 28 1833.

South-River Bridge

THE books are now open, and will continue open for six weeks, at the store of Thomas L. Cowan in Salisbury; at the store of Messrs Clement & Kelly Mocksville; and at Joseph Haines, Esq. Fulton, for subscriptions to the South Yadkin Bridge.

THE COMMISSIONERS.

May, 24th 1833 6t82

JOB PRINTING

EXECUTED WITH NEATNESS And DISPATCH,

AT THIS OFFICE.

POETRY.

SONG.

The strains we hear in foreign lands,
No echo from the heart can claim,
The chords are swept by stranger's hands,
And kindle in the breast no flame,
Sweet though they be.

So fond remembrance wakes to fling
Its hallowed influence over the chords,
As if a spirit touched the string,
Breathing in soft harmonious words,
Wild melody.

The music of our native shore,
A thousand lovely scenes endears,
In magic tones it murmurs o'er
The visions of our early years,
The love of youth.

It wreathe again the flowers we wreathed,
In childhood's bright unclouded day;
It breathe again the vows we breathed,
At Fancy's shrine when hope was joy.
And whispered truth.

It calls before our mental sight
Dear forms, whose lips are mute;
Sweet sunny eyes, long closed in night,
Warm hearts now silent as the lute,
That charmed our ears.

It thrills the breast with feelings dear,
Too deep for language to impart.
It bids the spirit joy or weep,
In tones which sink into the heart
And melt in tears.

A POET'S REQUEST.

Claude Sanguine, a French poet, who died at the close of the last century, having had his house consumed by lightning, sent the following ingenious *placet* to Louis XIV. on the occasion. The monarch at once felt the delicacy of the poet's verse, and the distress of his situation, and cheerfully ordered him the one thousand crowns, which the reader will find was the object of his demand:

To engage in your matters belongs not to me,
This, Sir, inexcusable freedom would be;
But yet when reviewing my miseries past,
Of your majesty's income the total I cast,
All counted (I've still the remembrance quite clear,)
Your revenue's one hundred millions a year,
Hence, one hundred thousand per day in your power,
Divided, brings four thousand crown ten each hour,
To answer the calls of my present distress,
Which lightning has caused in my country's recess,
May I be allowed to request, noble Sire,
Of your time fifteen minutes, before I expire.

ADORATION.

Hast thou considered the Heavens.—Job.

Look unto Heaven!
The still and solemn stars are burning there,
Like altars lighted in the upper air.
And to the worship of the GREAT God given,
Where the pure springs of the unsinning dead,
Reclaimed from earth & sanctified, might shed,
The holiness of prayer!

Look ye above!
The earth is glorious in its summer wreath—
The tall trees bend with verdure, and beneath,
young flowers are blushing, like unwhispered love;
Yet *these* must change,—earth's glories be no more,
And all her bloom and greenness bend before
The ministry of death!

Then gaze not there—
For holy skies are o'er ye; and the high
Mysterious things of God's immensity
Are leading upward like the wing of prayer!
And Heaven's own language to the pure of earth
Written in stars at Nature's mighty birth,
Is burning on the sky!

Oh turn ye then,
And bend the knee of worship; and the eyes
Of the pure stars shall smile with glad surprise
At the deep reverence of the sons of men:
Aye—kneel in worship till the stars grow dim,
And the skies vanish at the thought of Him
Whose light beyond them lies!

WHITTIER.

VARIETY.

Mutton Machine.—The reader has heard through our columns of the New England Scrubbing Brush and Sausage Machine, but the Mutton Machine of which a Kentuckian boasts in a Western Journal, is vastly its superior, both in usefulness and variety of execution. The machine is described as occupying the upper and lower apartments of a two story mill. The narrator describes it at much length. He says he first saw the sheep 'toted' into the upper room where its head was decapitated, and thrown into the hopper of the machine. He then descended into the nether apartment, and lo out of the lower end of the mill emerged a wool hat, a leather apron, and four quarters of mutton cooked 'wretched nice!' Jonathan may yield the palm. The Kentuckians draw the longest bow.

Hold on Kentuck! Vermont will match you yet. What think you of a machine fed *with hemlock brush*, turning out *white ash* rakes, with every tooth pinned in?

A merchant in London, who lately advertised for a Clerk who could bear *confinement*, has been answered by one who has lain *seven years in jail*.

ÆRONAUTIC EXPEDITION.

NEW-YORK, May 31.

Yesterday afternoon the ascension of Mr. Durant took place from Castle Garden, which, with the adjacent grounds, of the Battery, was thronged with spectators—their numbers are variously estimated. The process of inflamation commenced at two o'clock and was completed at five, at which time the Æronaut took his seat in the car, with anchors, flags, ballast, &c.

After being carried around the garden, a signal was given, the rope cut, the balloon ascended into the air with incredible velocity, and in about 12 seconds was completely out of sight. A dense fog hung over the city, which entirely hid the aerial traveller from the gaze of the disappointed multitude. The balloon is the largest ever constructed in this country, being forty-seven feet in its diameter, and averaging about twenty-eight feet thro'. Mr. D., as he entered the car, seemed to have as much self-possession and unconcern as any individual present. This is his fifth ascension.

P. S.—Mr. Durant returned to the city this morning, and has given us the following particulars of his flight beyond the clouds:

To guard against accidents to the ballon in its first ascent, it had been necessary to charge it with an extra quantity of gas, but when he was free from any danger from the walls of the Garden, and had risen to a sufficient elevation, Mr. D. opened the valve, and found the pressure to be from 60 to 70 lbs.

The precise time of his leaving Castle Garden was 4 minutes past five o'clock, and in two minutes after, he had entirely lost sight of this nether world. In four minutes more he found himself floating above the clouds—the sun, which to us has been for a long time invisible, shining upon him in clear unclouded beams. The wind, when he started from the Garden, was from the east, but he soon fell into a current blowing west, which wafted him towards the ocean.

In thirty-nine minutes from his departure, he attained his greatest latitude, being then *sixteen thousand feet*, or about three miles above the earth. When he had been 6 minutes upon his journey, he found himself in a cold region, so much so that the flag-staff which he held became intensely cold to the touch. Whilst veering from the line of his first course, and moving westwardly, he found himself nearing a beach. This, although not visible, was evident from the roaring of the surf, which he could distinctly hear.

It was now deemed necessary to prepare for a return to the earth, and taking a rapid course over New Jersey, he crossed the North River, and made for the county of Weschester.

At thirty-nine minutes after 6 o'clock, Mr. Durant heard the singing of birds, and in one minute more he again saw the earth. The scene was more beautiful, he says, than he ever before witnessed, and beyond his powers to describe. He now threw out one bag of ballast, and in one minute more, viz: at 41 minutes after 6 o'clock, landed on the farm of Robert Morris, Esq. in the manor of Fordham, in the county of Westchester, eleven miles from the city of New-York, three from the Hudson River, and eight from Long Island Sound. Three colored men were at work on the farm, who kindly went to the assistance of the Æronaut. The balloon was secured, and Mr. D. started for the city; but on his arrival at M'Comb's Dam, being in an open waggon, the rain came down in such torrents, that he was obliged to put up for the night at Mr. James Devoe's. This morning Mr. Devoe took him to Harlem, and Mr. Bradshaw brought him to this city, where he arrived in excellent health and spirits at half past nine o'clock, *Com. Adv.*

Extract of a letter from Gen. LAFAYETTE, *to a gentleman of Washington City, dated Feb.* 13, 1833.

"I thank you for your letters, they are more and more necessary to me. The anxiety that I experience on account of our unfortunate American dissentions is beyond any thing that I can express. The last news seems to point to an amicable settlement. It must not be believed that the glory of each party consists in the triumph of its opinions. It is quite the contrary. The friends of America will rejoice when they see both parties animated be a spirit of conciliation. It is in this point of view that the patriots of Europe consider this business. They would wish to contrast the internal policy of the United States with the violent measures, for instance, that the British Ministry have lately proposed in Parliament with regard to Ireland. They would wish to be able to say—'See the difference between the political system of the United States and that of the European Governments, even of those who pretend to act upon principles of liberalism!' This view of the subject is of great imp rtance and ought to strike our citizens of all parties and of all opinions. It is right that there should be a diversity of sentiment respecting *State Rights* on the one hand, and the powers of the National Government on the other; this is necessary for the maintenance and preservation of the Constitution. But the thing must not be carried too far on either side. My anxiety, I may say my *anguish*, will not be at an end until I shall know that all is amicably settled. The spirit of mutual concession that will produce such a result will be honorable in the eyes of all the friends of liberty in Europe."

Saint Louis, May 21.

THE CHOLERA.—We hope that this is the last notice which we shall have to take of this vild disease, so far as the health of our own city is concerned. It gives us much pleasure to announce that it has *entirely disappeared* from amongst us. No cases have happened, either on the steamboats at the wharves, or in any part of the town, for several days; nor are there any apprehensions of its revisiting us. We may remark that its prevalence has been of much shorter duration than during the last season—having wholly subsided in about fifteen days after its appearance. For the first few days, the character of the disease did not differ essentially from that of last year; it was equally malignant, and yielded in but few cases to the operation of medicine. This violence was, however, soon exhausted, and a timely administration of proper remedies generally preserved the lives of the patients. Its fatality was by no means so great as during the last season; and in this, we believe, it differs from the history of the disease—a reappearance having generally been vastly the most destructive of life. So far as our observation has extended, it was confined to the very imprudent the reckless and the dissipated, and to those slaves who inhabit damp and unwholesome places. Of course, this remark will not be understood as applicable to every case. We hope again that we have taken final leave of the unwholesome visitor.

Republican.

An Irishman being asked by a Caledonian, what was meant by Irish impudence, briskly replied, Scotch modesty.

Treasury Department,
April 12th 1833.

IN the late conflagration of the Treasury building, nearly all the correspondence of the Secretary of the Treasury, from the establishment of the Department to the 31st March 1833, was destroyed, including as well the original letters and communications addressed to the Secretary of the Treasury, as the records of the letters and communications written by him. With a view to repair the loss, as far as may be practicable, all officers of the United States are requested to cause copies to be prepared; and authenticated by them, of any letters (excepting those hereinafter alluded to,) which they may at any time have written to, or received from the Secretary of the Treasury; and all those who have been in office, and other individuals throughout the United States, and elsewhere, are invited to do the same. That this correspondence may be arranged into appropriate books, it is requested that it be copied on folio foolscap paper, with a sufficient margin on all sides to admit of binding, and that no more than one letter be contained on a leaf. It is also requested, that the copies be written in a plain and distinct or engrossing hand. Where the original can be spared, it would be preferred. The reasonable expense incurred in copying the papers now requested, not exceeding the rate of ten cents for every hundred words will be defrayed by the Department.

The correspondence which has been saved, and of which therefore, no copies are desired, are the records of the letters written by the Secretary of the Treasury to Presidents and Cashiers of Banks, from the 1st October, 1819, to the 20th February, 1833; all the correspondence relating to the revolutionary claims under the act of 15th May, 1828, and to claims of Virginia officers to half pay, under the act of 5th July 1832, and to applications for the benefits of the acts of the 2nd March, 1831, and 14th July, 1832, for the relief of certain insolvent debtors of the United States. Copies of some circular letters and instructions, written by the Secretary, have also been preserved: and it is requested that, before any copy be made of any *circular*, letter or instruction, written by the Secretary of the Treasury, the date and object of the circular be first stated to the Department, and its wishes on the subject ascertained.

LOUIS McLANE.
74-8m *Secretary of the Treasury.*

NEW CHEAP
Spring & Summer
GOODS.

GEO. W. BROWN,

IS now receiving from New York & Philadelphia, a large and extensive assortment of Fresh and Fashionable

GOODS,

Selected with great care and bought at the lowest cash prices; all of which, he is determined to sell at a very small profit for CASH, or on time to punctual dealers. His stock consists of every variety usually found in Stores in this section of country, viz:

DRY GOODS,
Hardware, Groceries, Crockery,
Saddlery, Hats, Shoes,
Bonnets, &c. &c.

Persons wishing to purchase, will do well to call and examine his Stock; for he thinks from the lowness of his prices to induce purchasers to buy. The usual kinds of produce taken in payment. 14tf87

Salisbury, May 1, 1833.

Negroes Wanted.

THE subscribers wish to purchase YOUNG & LIKELY

NEGROES,

Of both sexes. For such, the CASH will be paid, by making application, either personally or by letter, at Lexington, Davidson County, N. C., to

HARGRAVE & HUMPHREYS.
May 24th 1833. 77tf

A CARD.

G. Walter Juson, M D
Surgeon Dentist
OF
RICHMOND, VA.

WILL visit Salisbury on the 27th of this month, and remain a short period, every operation requisite to preserve and beautify the Teeth will be done on moderate terms, and late approved principles.

Ladies waited on at their dwellings.

☞ The Reverend Clergy attended gratuitously.

May 12. 1833. 76tf

NEW BINDERY.

WITH a view to the more efficient prosecution of their business, the Subscribers have established a

BOOK-BINDERY.

Having procured the best Materials from the North, and employed a Workman who comes well recommended, they are prepared to execute on moderate terms, all orders in this line.

Account Books, Records, &c. ruled and made to order; and every kind of Binding promptly executed in the best and neatest manner, on reasonable terms.

36tf J. GALES & SON.

Raleigh, Aug

State of North-Carolina,

LINCOLN COUNTY.
COURT OF PLEAS AND QUARTER SESSIONS, *April Term*, 1833.

BURTON & CLAYTON vs. WILLIAM MARTIN: *Original attachment Levied on Personal Property;*

IT appearing to the satisfaction of the Court that William Martin the defendant is not an inhabitant of this State, it is therefore ordered by the Court that he appear at the next Court of Pleas and Quarter Sessions, to be held for the County of Lincoln, at the Court-House in Lincolnton, on the third Monday in July next; Replevy and plead to issue or Judgment by default will be entered up against him. Ordered by the Court that publication hereof be made six weeks successively in the Western Carolinian.

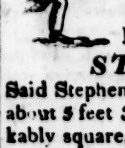
6:82 V. McBEE, c. c. c.

South-River Bridge.

THE books are now open, and will continue open for six weeks, at the store of Thomas L. Cowan in Salisbury; at the store of Messrs Clement & Kelly Mocksville; and at Joseph Hanes, Esq. Fulton, for subscriptions to the South Yadkin Bridge

THE COMMISSIONERS.
May, 24th 1833. 6t82

$10 REWARD.



RANAWAY from the Subscriber, six miles north west of Ashboro' Randolph Co. N. C. on Wednesday the 23. of May inst. my negro boy

STEPHEN.

Said Stephen is about 27 years old, about 5 feet 3 inches high, is a remarkably square, heavy, thick set negro; thick projecting lips, and short spread nose: speaks quick and promptly when spoken to. He carried with him a blue broad cloth coat, halfworn with a velvet collar: two pair of pantaloons, one of purple bang up cord, the others of brown holland: a black velvet waiscoat, also one of home made blue stripe, a black fur hat, nearly new: he had also a hickory staff with a buck horn handle. It is supposed he has procured a passport to enable himself to reach a free state. I will give a reward of ten dollars for his apprehension and confinement in any jail so that I get him again.

3t70 JOHN B. MOSS.
Ashboro' N. C. May, 25, 1833.

NEW CHEAP
SPRING & SUMMER
GOODS.

THE firm of HACKETT & LEMLY having been dissolved, the business in future will be conducted by

S. LEMLY & SON,
Who are receiving direct from
New-York & Philadelphia,
A COMPLETE ASSORTMENT OF
Spring and Summer
GOODS,
Of the latest Importations, consisting of
Dry-Goods, & Groceries,
Hats, Bonnets & Shoes,
Hard-Ware, Cutlery, and
PLATED WARE,
Saddlery, Crockery, &c. &c.
—ALSO—
A GENERAL ASSORTMENT OF
Carpenter's, Cabinet-Maker's, and
Blacksmith's Tools.
LIKEWISE, A GOOD SUPPLY OF
Greek, Latin and English
SCHOOL BOOKS,

And all other articles usually kept in retail Stores, which they intend selling at small profits for cash, or on a short credit to punctual dealers.

They respectfully invite their friends, and the public generally, to call and examine the assortment for themselves.

Cotton, Corn, Oats, Flaxseed, Beeswax, Tallow, and almost every description of country produce will be taken at fair prices, in exchange for goods

Salisbury, N. C. 1st May, 1833. 74tf

PUBLIC SALE
OF
VALUABLE GOLD MINES.

WILL be positively sold, at public outcry, in the town of Milledgeville, on the 15th day of July next, the following Lots:

Lot No. 1031	12*th district,*	1*st section,*		
1033	12th do	1st do.		
1195	12th do	1st do.		
646	12th do	1st do.		
861	12th do	1st do.		
859	12th do	1st do.		
893	12th do	1st do.		
820	12th do	1st do.		
932	12th do	1st do.		
817	12th do	1st do.		
999	4th do	1st do.		
974	4th do	1st do.		
1039	4th do	1st do.		
30	13th do	1st do	North.	
80	13th do	1st do.	North.	
398	3d do	2d do.		
835	21st do	2d do.		
944	21st do	2d do.		
638	3d do	3d do.		

ALSO,

677 4th do 3d do. { *being Dawson's Ferry.*

In the above list, are comprised the most valuable Mines, both for vein and deposite, in the whole Cherokee country. They are those which have been purchased during the Lottery, and are sold for the purpose of settlement among the companies. Capitalists are assured that the sale will be positive and without reserve. The terms will be one third, cash down—one third, in two months—and the remaining third, in four months from the date of purchase. Notes, with approved security for the payment of the instalments as they become due, will be required. The titles will be undoubted.

THOMAS J. PARK,
JACOB PAGE,
JASON H. WILSON,
U. J. BULLOCK,
WILLIAM WARD,
B. HARGROVE,
SAMUEL TATE,
ROBERT S. PATTON,
THOMAS B. WARD,
WILLIAMS RUTHERFORD,
HENRY M CLAY.

Milledgeville, Ga. May 6, 1833. 8:83

☞ The Telescope, of Columbia, South Carolina, the Courier, of Charleston, South Carolina, the Miner's Journal, of Charlotte, North Carolina, and the Star, of Raleigh, North Carolina, will publish the above till the day of sale; and the National Intelligencer, of Washington City, the Banner, of Nashville, Tennessee, and the Advocate, of Huntsville, Alabama, until the 5th July next, and forward their accounts to me, in Milledgeville, forthwith for payment. GEORGE W. MURRAY.

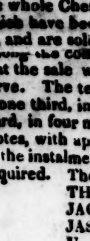
NOTICE.

BY order of the Court of Equity for Rowan County, the Clerk and Master will sell on the 17th day of July next, on the premises several Tracts of Land lying on Buffalo Creek in said County, belonging to the Heirs at Law of Francis Gibson, dec'd. One of 174 acres adjoining the lands of John Baker and others; one Tract of 5 acres, and one of about 25 acres adjoining the land of George Gibson and others. The sale will take place on the largest tract; A credit of 12 months for one half and of 18 months for the other half will be allowed, and the purchasers required to give bonds with good security for the purchase money on the day of sale.

SAML. SILLIMAN, *c. m. e.*
June 8th, 1833. 5:83

FOURTH DAY OF JULY, 1833.

ATTENTION!
SALISBURY BLUES.



YOU will parade at the Court House, in Salisbury, on Thursday the 4th day of July next, at nine o'clock, A. M. equipped as the law directs.

Those who do not appear properly armed and accoutred, as required by law will certainly be fined.

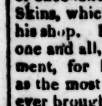
A Court Martial will be held immediately after the dismissal of the company for the trial of delinquents.

By Order of the Captain,
GEO. M. MURR *O. S.*
May 13, 1833. 4:79

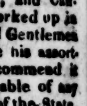
Notice

IS HEREBY given, that the firm of E. Dickson and Chambers is dissolved by mutual consent. All persons against whom they have claims arising before the 1st instant, are cautioned to come forward and settle the same, either by cash or note, before the 1st of August next, or they will find their accounts in the hands of Woodson Monroe for collection.

ENLARGED
SHOE STORE.
Ebenezer Dickson



GIVES notice that he has purchased the entire interest in the above mentioned firm; the stock of which was very good and extensive.



But in addition to that, he is receiving from the North a large and

Splendid Assortment

of articles belonging to his line of business, in all its branches. For

Neatness, Cheapness and DURABILITY,

he is confident that his assortment is excelled by none in the Southern Country. It consists (among other things,) of Gentlemen's

BOOTS, SHOES AND PUMPS,

of the best quality and latest fashions. Also, a general assortment of Ladies' Shoes & Pumps, of all kind, such as

Seal-Skin, Calf-Skin, Morocco and Brunella,

of the neatest style and best workmanship and materials; all of which, he will sell low for cash, or to punctual customers on a short credit; Five per cent will be discounted to purchasers who pay on demand. Mr. Dickson, makes his acknowledgements to the citizens of Salisbury, and the neighboring country, for the liberal share of custom extended to him, and he hopes by a strict attention to business to merit a continuance of their favors.

He still carries on the business of manufacturing

BOOTS, SHOES, &c.,

which he pledges himself to do in the best style, out of the best materials, on the shortest notice. He has furnished himself with a stock of excellent Northern Boat Leather, and Calf-Skins, which he intends to have worked up in his shop. He hopes the Ladies and Gentlemen one and all, will come and examine his assortment, for he can confidently recommend it as the most tasty, select and desirable of any ever brought to the Western part of the State.

P. S. Orders from the country will receive the strictest attention and be filled with as much precision as though the person himself were personally present.

Salisbury, N. C. May, 1833. 76tf

New Tailor Shop
IN LEXINGTON N. C.
Mr. Theophilus M. Simpson

MOST respectfully informs his friends, & the public at large, that he is now carrying on the Tailoring Business, in all its various branches in the town of Lexington, N. C. in the shop East of the Court House, formerly occupied by P. Fowler.

He regularly receives the latest New York and Philadelphia fashions, which will enable him to make any gentleman

A fashionable suit of Clothes,

on short notice, and in a superior style of workmanship. He hopes by assiduous attention to business to merit a share of public patronage.

April 12. 1833. 71tf

NOTICE.

THE Subscriber having qualified as Executrix of the Estate of Alexander R. Caldcleugh, deceased, gives notice to all persons having demands against said Estate to present them for payment within the time prescribed by act of Assembly, otherwise, they will be barred of recovery by the operation of said act. All persons indebted to said estate, are requested to come forward and pay, or secure their debts without delay.

E. S. CALDCLEUGH, *Ex'x.*
Davidson Co 31. 1833. 78 6m

NOTICE.

THE certificate for Four shares of the Capital or Joint Stock of the State Bank of North Carolina, subscribed for in the name of John Locke and transferred to Philip Hanes late of Rowan county, N. C. dec'd, being lost or mislaid, Notice is hereby given to all persons concerned that I shall apply to the President of said Bank, either in person or by agent to issue a duplicate thereof. 77—3m

GEORGE HANES, *Ex'r.*
Salisbury, May 24th 1833.

CHARLESTON and CHERAW,
THE STEAM BOAT MACON

CAPT. J. C. GRAHAM having been engaged last summer in running between Charleston and Cheraw calling at Geo. Town on her way up and down, will resume her Trips in the course of a few days and is intended to be continued in the trade the ensuing season.

Her exceeding light draft of Water drawing when loaded only about four and a half feet water will enable her to reach Cheraw at all times except, an uncommon low river, when her cargo will be lightened: the Expence of Boat.

J. B. CLOGH.
Charleston Sept. 26, 1831.

N. B. She has comfortable accomodations for a few passengers. 92tf

J. B. C.

Blank Warrants,
Nicely Printed on Fine Paper,
FOR SALE HERE—CHEAP